

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
LETTERS PATENT APPEAL (St.) NO. 2841 OF 2005
IN
WRIT PETITION NO. 5698 OF 2004

The Settlement Commissioner for
Compensation Pool Properties-cum-
Custodian of Evacuee Properties. ... Appellant.

Versus

Mr. Ravi Chamanlal Saigal & Ors..... Respondents.

Mr. Parag Shelkar with Mr. A.M.Kuklarni
for the Appellant.

Mr. P.K.Dhakephalkar with Mr. S.N.Dhakephalkar
for Respondent No.1.

Mr. A. A. Garge with Mr. N.R.Bubna for
Respondent No.2.

**CORAM : V. G. PALSHIKAR &
D. B. BHOSALE, JJ.**

DATED : OCTOBER 26, 2005.

P.C. :

Request by the learned Counsel appearing for the
appellant for adjournment rejected.

This appeal is directed against the order passed
on 6th August, 2004 by the learned single Judge of

this Court. By the impugned order, the learned single Judge has permitted the petitioners therein to withdraw the petition with liberty to file appeal against the order impugned in that petition before the Chief Settlement Commissioner. The present Appellant cannot be aggrieved by such order. Apart from that, no appeal is tenable where order impugned is one of permitting withdrawal of the petition. Hence appeal is dismissed.

Consequently, the civil applications are also rejected.
